



Joseph T. Edmiston, FAICP
Executive Officer
Mountains Recreation and Conservation Authority
5810 Ramirez Canyon Road
Malibu, CA 90265

August 14, 2009

Dear Mr. Edmiston:

On Monday, August 10, 2009, I reviewed an alternative to the Lechuza Beach Public Access Improvement Plan for public parking on East Sea Level Drive, which was presented by representatives of the Malibu Encinal Homeowners Association (MEHOA).

According to the Coastal Act of 1976, the Mountains Recreation and Conservation Authority (MRCA)—the public agency responsible for the management and maintenance of Lechuza Beach—is charged with providing "maximum public access and recreational opportunities ...for all the people" at this new public beach. Both federal law (Title II, 28 CFR 35, *Nondiscrimination on the Basis of Disability in State and Local Government Services*, of the Americans with Disabilities Act - ADA) and statewide code (Title 24 of the California Building Code - CBC) also require MRCA to provide access and facilities that are usable by people with disabilities.

Improved public access at Lechuza Beach has two components:

- improvements to the routes available to park visitors from public transit and parking opportunities to the beach (public access) and
- providing an equal experience for all visitors at the beach itself (beach access).

The MEHOA parking alternative addresses the provision of two separate, new public parking spaces with an adjacent observation bench on East Sea Level Drive that would be reserved for use by vehicles displaying a disabled person placard or license plate. Beach-level access from East Sea Level Drive to Lechuza Beach is a major component of providing an integrated, meaningful and equivalent beach experience for users of all ages and abilities. Currently, only residents and their guests have access to parking or drop-off spaces on East Sea Level Drive that are close enough to reach the public beach without the use of the Lot I stairs from Broad Beach Road.

The MEHOA parking alternative is unacceptable from an accessibility standpoint and with respect to the ADA and Title 24 of the CBC because the design specifically **restricts access** for persons with mobility disabilities to the area immediately adjacent to on-street

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parking spaces disconnected from Lechuza Beach and makes **no provision for an accessible path of travel** from any parking space on East Sea Level Drive to the entrance of publicly owned Lechuza Beach.

Sincerely,
Laurel Kelly, ASLA

A handwritten signature in cursive script that reads "Laurel Kelly". The signature is fluid and elegant, with the first and last names clearly legible.

Landscape Architect CA 4304
Project Manager, MIG